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THE VETO POWER:

ITS NATURE AND HISTORY;

THE DANGER TO THE COUNTRY FROM ITS EXERCISE,

AND

THE TRUE POSITION OF PARTIES AND PRESIDENTIAL CANDIDATES IN RELATION TO IT.

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PEOPLE OF THE UNITED STATES! while your attention is anxiously directed to the various questions of domestic Policy involved in the elections of this year—questions, it is admitted, of great magnitude and importance—do not overlook the fact, that upon the result of the Presidential contest, depends a matter of CONSTITUTIONAL PRINCIPLE, lying at the very foundation of our Republican System of Government, and connected with the highest and most enduring interests of this land.

THE QUESTION,

Who shall make laws for this Country, the President or Congress?

This is the question; and what patriot can be blind to its transcendent and absorbing importance!

It may be asked—does not the Constitution vest the law-making power in *Congress*? It undoubtedly does; but the candid observer of the events of the last twenty years, cannot have shut his eyes to the startling fact, that the theory of our Government has been, in effect, almost, if not quite, overturned;—that Congress, by the wanton and injurious use of the VETO POWER, vested by the Constitution in the President, and by the exertion of the influence of the Executive, through his official power and patronage, has been degraded from its elevated sphere, and forced into a secondary and inglorious position;—and that the President is fast becoming virtually the source of most of the important legislation of the General Government.

The people have, almost unresistingly, suffered this work to go on, until a most alarming perversion of public sentiment has taken place. One of the great parties into which the Nation is divided, and that, too, which arrogates to itself the title of *Democratic*, has become the avowed advocate of the Executive Veto, and of its use in every case where a bill is passed by Congress, conflicting with its party schemes or dogmas; while the Whig Party, though ever opposed to the aggrandizement of the Executive, has failed to put forth its whole might against the exercise of this mischievous and despotic power.

MOMENTOUS FACTS IN RELATION TO THE VETO POWER.

The people certainly have not fully investigated the weight, power, and effect of the Executive Veto, or they would with one voice, cry out against its further use, in the spirit and manner in which it has been resorted to within the last twenty years. It is a singular and deeply interesting fact, which should arouse every man in the country to attend to this grave subject, *that the Veto is equal in power to* TWO MILLIONS, SIX HUNDRED AND EIGHTY-FIVE THOUSAND, EIGHT HUNDRED AND FORTY PEOPLE OF THIS COUNTRY, *and more than equal to* FOUR STATES OF THIS UNION! That is, whenever a President chooses to interpose his single will against the will of Congress, in relation to any bill, it requires, *over and above a majority*, the representatives of that number of people, and the Senators from that number of States, to overcome that single will.

Attend, for a moment, to the *facts and figures* by which this statement is proved.

The House of Representatives, of Congress, consists of 230 members, of which 116 are a majority, and 154 are two-thirds. The Senate is composed of 60 members, of which 31 are a majority, and 40 are two-thirds

Now, if a bill receive 116 votes in the House, and 31 votes in the Senate, and be signed by the President, it becomes a law. But, if he put his Veto upon it, as the votes of two-thirds of each house are necessary to its passage, it cannot become a law without 154 votes in the House and 40 in the Senate. It takes, therefore, just 38 votes in the House and 9 in the Senate, more than a majority, to overcome the Veto. Each of those 38 votes in the House represents 70,680, and the whole 2,685,840 people. Every two of these 9 votes in the Senate represents the power of one State, and the whole more than four States. Hence the Veto is equal in power to that number of people and States.

Another fact most strikingly illustrates the exorbitant power of the Veto. It is, *that it needs but* ONE *vote more than one-third of either House of Congress to sustain the will of the President and make it* ABSOLUTE. For instance:—a bill, vetoed by the President, may be passed, notwithstanding the Veto, by the votes of the whole 230 members of the House of Representatives, and may receive 39 votes in the Senate; or it may be passed unanimously by the Senate, and receive 153 votes in the House; and yet, in either case, for the want of *one* vote, fail to become a law, though sustained by an overwhelming majority in both houses.—Now, as it is the most improbable thing in the world, that the President could not find, in one house or the other, a sufficient number of members, impelled by friendship to him, or by concurrence of opinion with him, or by the hope of preferment by him, to sustain his Veto, it follows, that for every practical purpose, the Veto is just as absolute as if it were so declared by the Constitution.

In the light of these facts, the great truth stands out with vivid distinctness, *that the exercise of the Veto destroys the very first principle of our Republican System*—THE RIGHT OF THE MAJORITY TO GOVERN. Whenever the President chooses, no matter how foolishly or wickedly, to resort to that power, the government is, by that act in that particular case, thrown into the hands of the minority. And, as every minority government is in principle a despotism, it follows that the exercise of the Veto establishes, in each individual case, a despotic power in the minority over the majority. True, the power might not be despotically used. That would depend upon the object and temper of the President in applying the Veto, and upon the extent of his sway over the minority; but whether so used or not, *the principle is there*, and may at any time be brought into action; and that should be enough to excite in every American freeman an intense jealousy of the Veto power, and an unyielding and sleepless opposition to its improper exercise.

THE DANGER.

Assumption of power, as all history proves, is always and everywhere progressive. Every step taken in that direction, is but the precursor of another. No subversion of public liberty ever was accomplished, without a series of preparatory acts, clearing the way for the final and overwhelming blow. The extraordinary and willful exercise of the Veto power, by Presidents of the United States, within the last twenty years, has opened the door for further and more alarming aggressions on the rights of Congress and the people; and it requires no gift of prophecy to foretell, that unless a check be speedily given to the progress of Executive domination, Congress will have been completely and slavishly subjected to the will of the President, long ere the Government shall have reached the close of its first century.

Let every American citizen, then, look deliberately and carefully at this great question, and let him look at it *now*. Matters of policy may, under certain circumstances, be postponed for a time; but this is a fundamental principle of representative government, and therefore not to be laid aside or disregarded, or treated in any way but by a strong and determined assertion of the people's rights.

MEANING OF THE WORD "VETO."

"VETO," a Latin word, transplanted into our vocabulary, signifies—"*I forbid.*" It was the word used in ancient Rome, by the Tribunes of the people, when they prohibited any decree of the Senate.

History informs us that the persons of these Tribunes were sacred, and their authority absolute. Sitting at the door of the Senate House, the decrees of the Senate were brought to them for approval, and the Veto of a single Tribune was sufficient to prohibit their execution. The word was essentially dictatorial and the power suppressive. But history also informs us that these Tribunes were the officers of *the people*, chosen to protect the rights of the common people against the tyranny of the aristocracy; that the Veto was applied only to such decrees of the Senate as were deemed prejudicial to the interests of the people; and that the creation of popular magistrates with such high powers, was the era of a change in the Roman Constitution, and plainly converted the Government into a Democracy.

Nearly two thousand years have rolled away since the days of the Veto of the Tribunate, and the Veto power is in force in another Republic far greater than Rome. But, as we shall endeavor to show, its character has altogether changed. Its use here is not to protect the people from aggression, but to defeat their will; its tendency here is to concentrate power in the hands of *one man*, not to uphold the rights and supremecy of the People.

WHENCE DO WE GET THE VETO POWER.

This feature of our Constitution, as well as some others, was derived from Great Britain. The King of that realm is invested with an *absolute* Veto on bills passed by Parliament. No bill upon which he places his Veto can become a law. The framers of our Constitution, wise and far-seeing as they were, did not apprehend any danger to our free institutions from entrusting the President with a *qualified* negative upon bills passed by Congress; and so they allowed him to veto any bill, but, at the same time, reserved to Congress the power to pass it, notwithstanding the Veto, by a vote of two-thirds in each house.

The King of England had not, for ninety-three years before our Constitution was formed, exercised the Veto power. To this circumstance is probably to be attributed the introduction of that power into the Constitution. Had the British King been accustomed, by a continued and frequent exercise of the Veto, to interfere with the will of the people expressed through Parliament, we may fairly suppose its evils would have been so apparent, that the Convention of 1787 would either have omitted it entirely from the Constitution, or bestowed it with such limitations as would have rendered its use unfrequent and harmless. But that great and patriotic body, apprehensive, rather, that Congress would be disposed to trench upon the rights of the President, and desirous to shield him from encroachment; and fearing no Executive aggression on the Legislative Department; placed in the hands of the President this kingly power; which, backed by his official patronage and influence, has made him more potent than the British King in arresting the action of the people's Representatives, and has been exercised oftener, perhaps, within twenty years, by our *Republican* Presidents, then by all of England's monarchs ever since England had a Parliament.

THE NATURE AND OBJECT OF THE VETO OF THE BRITISH KING.

Since we derive the Veto from Great Britain, an important purpose may be subserved by inquiring into its nature and object there. This we gather from the great work of BLACKSTONE on the Laws of England, from which we present the following extract, clearly exhibiting the whole subject in a brief space:

"The constituent parts of a Parliament are, the King's majesty, sitting there in his royal political capacity, and the three estates of the realm: the lords spiritual, the lords temporal, (who sit together with the King in one house,) and the Commons, who sit by themselves in another. And the King and these three estates together, form the great corporation or body politic of the kingdom, of which the King is said to be *caput, principium, et finis*—the head, the beginning, and the end.

"It is highly necessary, for preserving the balance of the Constitution, that the Executive power should be a branch, though not the whole of the Legislature. The total union of them, we have seen, would be productive of tyranny; the total disjunction of them, for the present, would in the end produce the same effects, by causing that union against which it seems to provide. The Legislature would soon become tyrannical, by making continual enroachments, and gradually assuming to itself the rights of the Executive power. To hinder, therefore, any such enroachments, the King is himself a part of the Parliament: and as this is the reason of his being so, very properly therefore the share of legislation which the Constitution has placed in the crown consists in the power of *rejecting* rather than *resolving*; this being sufficient to answer the end proposed. The Crown cannot begin of itself any alterations in the present established law; but it may approve or disapprove of the alterations suggested and consented to by the two houses."

Here we have, from the great law writer of England, a succinct and simple delineation of this kingly prerogative. The King, he says, is the head, the beginning and the end of the body politic. This is forcibly illustrated by the style of the laws passed by the British Parliament, which is in these words—"*Be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal and Commons.*" And yet, though the King of England is the head, the beginning and the end of the body politic, the Veto power is in his hands merely *a defensive weapon*, intended to protect himself and his rights, and never designed to be used in thwarting the will of the People, or in compelling Parliament to legislate according to his will. We shall presently see that Presidents of this Republic have far outstripped "his Royal Majesty" in the use of this power, and have turned it into a weapon of offense and compulsion, instead of defense and protection.

THE NATURE AND OBJECT OF THE PRESIDENT'S VETO.

The late *Justice* STORY, whose name and fame as a profound and unsurpassed jurist are known over the world, in his Commentaries on the Constitution of the United States, thus sums up all the reasons which have been advanced for investing the President with the Veto Power:

"The reasons why the President should possess a qualified negative, if they are not quite obvious, are, at least, when fairly expounded, entirely satisfactory. In the first place there is a natural tendency in the legislative department to intrude upon the rights, and to absorb the powers of the other departments of the Government. A mere parchment delineation of the boundaries of each is wholly insufficient for the protection of the weaker branch, as the Executive unquestionably is; and hence there arises a constitutional necessity of arming it with powers for its own defence. If the Executive did not possess this qualified negative, he would be gradually stripped of all his authority and become, what it is well known the Governors of some states are, a mere pageant and show of magistracy.

"In the next place, the power is important, as an additional security against the enactment of rash, immature and improper laws. It establishes a salutary check upon the legislative body, calculated to preserve the community against the effects of faction, precipitancy, unconstitutional legislation, and temporary excitements, as well as political hostility."

Mark, now, that the leading and important reason for placing this royal power in the hands of the President, is the same as that assigned by Blackstone for allowing it to the King—*the protection of the Executive from legislative encroachment*; and, thereby, the preservation of the balance of power among the different departments of the government. The Executive was considered "the weaker branch," and therefore in need of protection. How mistaken were the framers of the Constitution in their foresight in this instance! They desired to shield the President from legislative aggression, but saw no danger to Congress or the people from the power of the Executive. How perplexed and astonished would they now be, could they return from their graves, to behold the Representatives of the people thwarted and set at naught by the President, and submissively looking towards him to ascertain what he will Veto and what approve!

The other reason for reposing the Veto power in the President, as stated by Justice STORY, is, the protection of the country "against the enactment of rash, immature, and improper laws, and against the effects of faction, precipitancy, unconstitutional legislation, and temporary excitement, as well as political hostility."

Upon every ground, then, viewing it in the light of the Constitution, the power is in its whole tendency and its widest scope, strictly *defensive and conservative*. Not a word can any where be found, authorizing the supposition that the Veto would ever be used to trammel and control the action of Congress, and subject it to the will of the President. Nothing could have been farther from the purpose of the Convention, than paving the way for any such interference with the independence of the National Legislature. The intention of that body was to keep the different departments of the government as distinct and separate from each other as possible. In this they saw the only safety of the momentous experiment on which the country was entering.

THE DEPARTURE FROM THE RIGHT LINE.

From the adoption of the national Constitution to the time of Gen. JACKSON'S Administration—a period of forty years—the several departments of the Government moved on in their respective spheres harmoniously, neither encroaching on

the others. Gen. JACKSON, in his Inaugural Address, expressed correct views of his position and province as President, in the following language:

"As the instrument of the Federal Constitution, it will devolve upon me, for a stated period, to execute the laws of the United States; to superintend their foreign and confederate relations; to manage their revenue; to command their forces; and, by communications to their Legislature, to watch over and promote their interests generally."

Had these views been adhered to, we may safely conclude that the time would yet have been far distant, when THOMAS JEFFERSON'S prophecy would be fulfilled. That distinguished and sagacious man said: "The Executive in our Government is not the sole, it is scarcely the principal object of my jealousy. The tyranny of the Legislatures is the most formidable dread at present, and will be for many years. *That of the Executive will come in its turn; but it will be at a remote period.*"

Remote, indeed, would it have been, but for the thought that took possession of Gen. JACKSON'S mind, soon after his Administration began, that he was the Representative of the People, and a part of the legislative department of the Government, and, therefore, entitled to impress his opinions and plans upon the legislation of Congress. From this point the historian will date the departure of the government from its true theory, and the beginning of Executive aggression on the constitutional province of Congress.

GEN. JACKSON'S FIRST FALLACIOUS ASSUMPTION.

Gen. JACKSON had not been fifteen months in the Presidential chair, before he struck his first blow at Internal Improvements, by his Veto of the Maysville Road Bill. This was the first step in his career of aggression on the sphere of Congress. Anticipating popular discontent at this step, and not yet regardless of the opinions and wishes of the people, he felt the necessity of drawing them to his support; and he sought, therefore, to establish in their minds the idea of a close and intimate relation between him and them. Hence he boldly advanced the claim, *never before set up by any President*, that he was *the Representative of the People*, and they his constituents. Twice in the course of his Veto Message he uses the phrase, "*my constituents.*"

It is not too much to say, that never did a public officer fall into a more fatal error, than this. In no possible sense is the President the Representative of the People. The Constitution nowhere recognizes any representatives of the people, but those in Congress. The senators do not represent the people because they are not chosen by the people, but by the State Legislatures, and are intended to represent the States as such.

Neither does the President represent the people. He is not chosen by them, but by *the States*, represented by electors, chosen in every state except South Carolina, by the people. The Constitution reads thus:

"*Each State* shall appoint, in such manner as the Legislature may direct, *a number of Electors*, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress."

From this we learn that, though the people are commonly spoken of as voting for a particular person for President, yet they do not in fact vote for him, but for certain persons, to act as electors. These electors cast the vote of *the State*, not of the People. We further learn that, though the people choose the electors, yet the Constitution regards the choice as proceeding from *the states*, in their corporate capacity, and not from the people.

Indeed, the Constitution seems to have been framed with an express view to exclude the idea of the President being a Representative of the People. Not only does this appear from the manner in which he is chosen, but from the total absence from that instrument of any word or phrase, which, directly or indirectly, requires or authorizes him, under any possible circumstances, to express the will or wishes of the people, on any subject. He is appointed for the sole purpose of wielding "*the Executive power*" of the government, as defined by the Constitution; and is no more a representative of the people than a sheriff, or other ministerial officer, to whom no one has ever thought of ascribing that character, though he is generally elected by their direct votes, and is therefore better entitled than the President to be considered their representative.

If the President be a representative, who are his constituents in *South Carolina*, where the people have no voice whatever in choosing the electors, but where they are chosen by the legislature? Are the people there his constituents? Certainly not, for they do not vote for him or for the electors. Who then are? Plainly, if any one, the electors, or at farthest the legislature; which reduces the whole thing to a bald absurdity.

Again: when, as may often happen, the President and the House of Representatives are at variance, which is the representative of the people? Take for an example, the present illustrious occupant of the white house. He is a Locofoco, and was elected in 1844. The House of Representatives is Whig, and was elected in 1846 and 1847. Now, which represents the people, the one man, elected four years ago, as the Executive, or the two hundred and thirty men, elected one and two years ago, *as Representatives*? A Locofoco will, of course, declare for the one man; but the people know better, and will decide in favor of the two hundred and thirty. Hence, again, is apparent the preposterous nature of this unconstitutional assumption of representative character for the President.

GEN. JACKSON'S SECOND FALLACIOUS ASSUMPTION.

Not only was the President claimed to be a representative of the people, but the grasping spirit of Executive usurpation set him up as *a part of the legislative department of the government*. Gen. JACKSON, looking beyond our Constitution into that of Great Britain, and finding that the King is a part of the Parliament, came to the conclusion that the President, by analogy, ought to be considered a part of the law-making power of this government. Seizing on the grant of power, by the Constitution to the President, to revise the bills passed by Congress, and to approve or disapprove them, he construed it into an investment of him with legislative qualifications and powers.

Far more serious in its inroads on the Constitution than the claim of a representative character for the President, this assumption will, with fatal certainty, overthrow the government, if carried out to its legitimate consequences. When the President asserts that the people are his constituents, he does not by that mere fact violate the Constitution, though he departs very widely from its spirit; but when he claims that he is a branch of the legislative department, the claim itself is a violent disregard and contempt, and carrying out the claim into action a total overthrow, of the very first section of the Constitution, which reads:

"ALL *legislative powers* herein granted shall be vested in a Congress of the United States which shall consist of a Senate and House of Representatives."

No language could more perfectly express an idea. It is impossible to give it two meanings. Our english tongue is incapable of embodying the simplest proposition, if that sentence does not, without the possibility of a mistake, not only declare who shall possess the legislative power, but entirely exclude any one but Congress from having any thing to do with that power. And yet it was and is claimed, in defense of executive aggression, that the President is a part of the national legislature, and entitled to participate in its legislation. Whenever that claim is recognized and established, our government, though perhaps still wearing the garb of Republicanism, will be in fact a MONARCHY, armed with the powers and fitted for the work of despotism.

GEN. JACKSON'S THIRD FALLACIOUS ASSUMPTION.

How true is it, that the spirit of usurpation grows by what it is fed upon! The possession of executive power by the President was not enough, and he claimed to be a representative of the people. This, still, was not sufficient, and he set himself up as a part of the legislative department. Still unsatisfied, he assumed to himself *judicial* attributes. Were any thing needed to fill the measure of Executive aggression, this was the thing. Unite in the hands of the President, executive, legislative, and judicial powers, and what more could the aspirant for absolute sway desire?

One would think, when the Constitution so clearly separates these great powers, and confides each to a separate body, that to concentrate any two of them in one person or body were impossible. With locofocoism, however, all things which partake of *assumption*, are not only possible, but quite natural.

The Constitution vests "the judicial power of the United States in one Supreme Court; and though that power is, by that instrument declared "to extend to all cases in law and equity, arising under the Constitution or the laws of the United States;" from which language it would seem impossible to escape the conclusion that the President is absolutely prohibited from the exercise of judicial functions; yet, Gen. JACKSON, in his Veto message on the bank bill, did not shrink from asserting, in unqualified terms, the right of the President to decide what is constitutional and what not, *regardless of the opinion of the Supreme Court, the only tribunal erected by the Constitution for the final decision of constitutional questions.*

The Supreme Court, with Chief Justice MARSHALL at its head, had, after a most labored investigation of the whole subject, solemnly decided that the Constitution conferred upon Congress the power to establish the late bank of the United States. It was necessary, for the defense of the Veto of the bill rechartering that institution, that the force and authority of this judgment should, if possible, be overthrown. To this point the President did not hesitate to address himself. Read his language, and mark well the bold spirit of innovation and defiance which pervades it.

"If the opinion of the Supreme Court covered the whole ground of this act, it ought not to control the co-ordinate authorities of this Government. The Congress, the Executive, and the Court, must each for itself be guided by its own opinion of the Constitution. Each public officer, who takes an oath to support the Constitution, swears that he will support it as he understands it, and not as it is understood by others. * * * The opinion of the judges has no more authority over Congress than the opinion of Congress has over the judges; and, on that point, *the President is independent of both.* The authority of the Supreme Court must not, therefore, be permitted to control Congress or the Executive, when acting in their legislative capacities, but to have only such influence as the force of their reasoning may deserve."

Let it be borne in mind that we are not here discussing the constitutionality of the bank of the United States; but establishing the progress of Executive usurpation, by proofs drawn from the action of the President on that question. Let no man, therefore, who believes the bank unconstitutional, fly off on that point, and disregard the proofs we present, because they are taken from a message, the main doctrines of which he may approve. Though he may think the President right in vetoing the bank bill, yet let him not turn away his mind from the unheard-of doctrine, contained in the above sentences, that the President holds in his hands legislative and judicial, as well as executive powers; in short, that *all* power is lodged with him, and that *he* is the government. That doctrine is there in its broadest import, and he must be blind, indeed, who cannot see it.

THE USE OF THE VETO ON THE GROUND OF CONSTITUTIONAL CONSTRUCTION INVESTIGATED.

In view of the claim of a right in the President to interpose the Veto in every case where he finds *constitutional* objections to a bill, let us devote a brief space to the investigation of that right. There is more in the point than at first strikes the mind. The Veto on constitutional grounds may be the salvation of the Constitution, but it may also be its destruction. The right understanding of this subject is, therefore, of the highest importance to the welfare and stability of our institutions.

The right of the President to veto a bill on constitutional grounds is not denied. His duty to exercise that right, whenever the Constitution is violated, is freely admitted; for he takes an oath "to preserve, protect, and defend the Constitution." The question is not, whether he possesses this right, or is bound by this duty, but, *when* should the right be exercised? Here the advocates and opponents of the use of the Veto separate; the former to assail, the latter to defend the Constitution.

The position of General JACKSON, and those who agree with him, is, that the President is authorized to exercise the Veto, in any and every case, where, by any course of reasoning he may choose to adopt, he may bring his mind to the conclusion that a bill is unconstitutional. In other words, that when the President settles in his own mind, *by construction* of the Constitution, no matter how remote, how difficult to be arrived at, how illogical, how *untrue* in law and in fact, that a bill is inconsistent with that instrument, he need not stop to inquire whether it plainly and clearly contravenes any given clause, but is bound to veto it. And further, that, in fixing his construction and drawing his conclusions, he is to be guided only by *his* understanding of the Constitution, without regard to precedents, to the

judgment of Congress, to the opinion of the Supreme Court, or to any thing else but the light which his own mind affords him.

This doctrine the Whig party, ever the opponents of kingly prerogative and one-man government, utterly deny and condemn, as being nothing more or less than the English doctrine that "*the King can do no wrong*," newly dressed up; and as leading to the inevitable overthrow of the glorious fabric of government reared by the wisdom of the fathers of the Republic. It is a doctrine which sets at naught constitutional checks, limitations, and safeguards, and puts the entire power of the Government, Executive, Legislative, and Judicial, into the hands of *one man*, constituting him, in every essential particular, A MONARCH.

The proof of this lies in the simple proposition, clear to the most limited comprehension, *that no bill of an important character can be passed by Congress, against which an ingenious or perverted mind cannot contrive to array some* CONSTRUCTION *of the Constitution.* The construction may be utterly wrong; may be to the whole world inexpressibly absurd; may be as insulting to the intelligence of the nation, as to assert that two and two do not make four; yet, according to Locofoco doctrine, that makes no difference; *the President is the judge* of the correctness of his own construction; and there is nothing to forbid his basing a veto on it, but his own conscientious sense of honesty, justice, and official obligation! Upon that frail and insufficient support let no man repose any hope. The entire history of mankind proves that the lust of power, once seated in the human heart, drives thence, with remorseless energy, all conscience, all honesty, and all sense of justice. We have, and shall always have, in this land, men fired by that lust, who would not withhold the torch from our most sacred institutions, if, by applying it, they could rise to absolute dominion. Against such men, our only protection is the virtue and intelligence of the people, and an ever-watchful, iron opposition to the progress of Executive usurpation.

In what case, then, is the right of the President clear, to exercise the Veto on constitutional grounds? The answer is—*in that case, and no other, where Congress, beyond all question, violates* THE LETTER *of the Constitution—where there is no need of argument or construction to prove the violation—but where no argument or construction can conceal or explain it away.* In this principle is the only safety of the country from oppressive resort to the Veto on constitutional grounds. Any departure from it opens the way wide for unrestrained assumption of power, based on arguments and constructions which *the President himself sets up*, and of the validity of which, he, by an unconstitutional usurpation of judicial character, *constitutes himself the sole and irresponsible judge.*

THE NATURAL RESULT OF GENERAL JACKSON'S ASSUMPTIONS.

It was hardly possible for General JACKSON, or any other person occupying the Presidential chair, to fix in his mind the notion of his being a representative of the people and a part of the legislative department of the Government, without his attempting to participate in, if not control, the action of Congress. He would, of course, deem it his duty to represent what he might regard as the will of those whom he held to be his constituents, and to do his share in making the laws of the country. Accordingly, we find him, in the course of his eight years administration, asserting his legislative rights, by defeating, no less than *twelve* times, bills passed by Congress. This was thrice oftener than had been done by all the Presidents before him, in the forty years that the Government had been in existence.

Not satisfied with the preventive power conferred by the Constitution, and with an unprecedented and violent exercise of it, he went far beyond his constitutional sphere, and, assuming what had never been even so much as hinted at by any of his predecessors, *sought to fashion the legislation of Congress by his own will.* His message, conveying his veto of the United States Bank bill, contained a clear and well-defined declaration of his claim to be *applied to* by Congress for *plans* of legislation. He there says—

"That a Bank of the United States competent to all duties which may be required by the Government might be so organized as not to infringe on our own delegated powers, or the reserved rights of the States, I do not entertain a doubt. *Had the Executive been* CALLED UPON *to furnish the project of such an institution, the duty would have been cheerfully performed.*"

Never since the formation of our Government has there been so open and undisguised an attempt to dictate to Congress; to make the President the source as well as the final approver of legislation; and to concentrate in his hands, not only in theory, but *in practice*, the legislative as well as the Executive power.

THE FOLLOWING IN THE FOOTSTEPS.

Though no successor of General JACKSON has ventured *openly* to follow him, to the full extent, in the path of unconstitutional encroachment and assumption, yet the *spirit* that actuated him has been transmitted to his successors, who have, with less boldness and harshness, but with not less certainty, imposed their will upon Congress. The time predicted by THOMAS H. BENTON, has long since come, when our Government is the Government of ONE MAN.

When that gentleman was a prominent actor in the ruthless war upon the Administration of JOHN QUINCY ADAMS, which resulted in driving that great man and pure patriot from the Presidency, he made, on the 4th May, 1826, to the Senate, a Report on Executive Patronage, in which, after depicting the extent of that patronage at that time, he used the following emphatic language, since so remarkably verified by those he aided to bring into power:

"We must, then, look forward to the time when the public revenue will be doubled; when the civil and military officers of the Federal Government will be quadrupled; when its influence over individuals will be multiplied to an indefinite extent; when the nomination by the President can carry any man through the Senate, and his recommendation can carry any measure through the two Houses of Congress; when the principle of public action will be open and avowed,—*the President wants my vote, and I want his patronage; I will vote as he wishes, and he will give me the office I wish for.* What will this be but the Government of *one man?* And what is the Government of *one* man but a MONARCHY?"

Who can deny that Col. BENTON was a prophet when he wrote this? Was ever truer picture drawn than this exhibits of the results of Locofoco rule, since the 4th of March, 1829? Does not every man in the country, who has observed the course of events since that date, *know* that, by the most shameless exertion of Executive influence, through the Veto power, but more especially through the "spoils" of office, the President has obtained almost absolute control over the action of Congress? While, in the British House of Commons, the members are, by a standing rule of that body, prohibited from stating in debate what is the will of the King on any subject, does not this whole nation *know* that, ever since the second year of General JACKSON's Administration, the President's will and wishes have been constantly declared and urged in Congress, to carry through or defeat measures pending before that body?

Hear, on this point, the testimony of DANIEL WEBSTER, uttered in the presence of the Senate, *without contradiction.* He had been in Congress, nearly constantly, for thirty years, and he declared that *he had never known a President to set his heart on any great measure which he did not force through Congress.*

Hear, also, the testimony of JOHN M. CLAYTON, delivered in the Senate on the 5th of July last, and *not disputed by any one*:

"I first came to Congress nearly twenty years ago, and I have since been an attentive observer of men and things here, though one of the humblest actors on this theatre, where men with loud professions of Democracy on their lips, cherish the most despotic principles in their hearts; and *I now say, that the monarchical tendency has every year been growing stronger; that many of our legislative acts of the most important character are draughted at the Executive Departments* TO SUIT THE WILL OF THE EXECUTIVE; AND THAT CONGRESS HAS DEGENERATED, UNDER DEMOCRATIC PRESIDENTS, TILL IT IS LITTLE BETTER THAN THE REGISTER OF THE EDICTS OF AN EMPEROR."

There is not a man in Congress, who, if compelled to testify, would not admit the absolute truth of this testimony. There is not a Locofoco there who does not *sustain* the interference of the President, by his veto, and by his official power and patronage, in the legislation of Congress, whenever that interference *will promote the interests or measures of* THE LOCOFOCO PARTY.

THE "POCKET" VETO.

Had the Presidents of the last twenty years confined themselves to the legitimate exercise of the Veto power, there might be some little show of defence of their conduct. It could, at least, be said that they had done no more than the letter of the Constitution authorizes, and, for any violations of its *spirit*, they might have pleaded

the dictates of *conscience!* But the constitutional power to disapprove and return bills to Congress,—the qualified veto, which Congress might, by a two-thirds vote, set aside,—was not enough. The thirst for kingly power was excited, and could be slaked by nothing else or less than what it craved. *Absolute dominion over Congress* was wanted, and a way was found to wield it in certain cases. Hence the resort to what has been aptly termed the "*Pocket*" Veto,—which has been well characterized as "a vile trick and a fraud upon the people and their representatives."

The operation of this trick is thus. The Constitution provides as follows:

"If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless Congress, by their adjournment, prevent its return, in which case it shall not be a law."

It is well known that many of the most important measures before Congress are matured and finally acted upon within the last ten days of a session. Gen. Jackson saw in this circumstance the means of putting, in effect, an *absolute veto* on bills obnoxious to him, which were thus passed at the close of a session. With him, to see the means was to use them when opportunity offered; and he did not hesitate to pervert the plain and unquestionable intention of the Constitution, by resorting to this clause of it for the suppression of the action of Congress. So, in no less than *eight* instances, during his Administration, when bills, which he was determined should not become laws, were presented to him within the last ten days of a session, he defeated them by keeping them in his possession until after the adjournment of Congress.

Such a thing had happened but once before in the history of the Government. On one occasion, during the Administration of Mr. Madison, a bill was presented to him, "at an *hour*," as he stated in a subsequent message, "*too near the close of the session* to be returned with objections for reconsideration." He could, of necessity, do nothing less than retain it; and we are bound, by every sentiment of reverence for his exalted and truthful character, to believe that he had no thought of thwarting Congress in this way, but was placed in circumstances which compelled him to act as he did. This was widely different, however, from that purpose of despotic sway, and that reckless defiance of the people's will, which, since the beginning of Locofoco rule, has, by this cowardly proceeding, smothered no less than *twelve* important bills, every one of which, there is reason to believe, might have been returned to Congress, with the President's objections, but were *pocketed* by the Executive, because it was intended that they should be,—not *suspended* for reconsideration, as the Constitution contemplates,—but *killed*, past all hope of resuscitation.

THE LAST OF THE VETO IN ENGLAND.

While the Veto power has, of late years, been called into almost constant use in our Republican Government, we have to search back in the history of England *one hundred and fifty-four years*, before we come to an instance of its exercise! While the people of Great Britain have almost forgotten that their King has a veto, the citizens of Republican America have become as familiar with this kingly weapon of despotism as with household words, and look with stoical indifference upon its use, not remembering that its essential character is tyrannical, and its every exercise subversive of Republican principles.

The last instances of resort to this power by the British King were during the reign of William III. In 1692 Parliament passed a bill for establishing the independence of the judges, and confirming their salaries. It had been the practice of the Stuarts, especially in the last years of their dynasty, to dismiss judges, who showed any disposition to thwart the Government in political prosecutions. To arrest this practice, and make the judges independent, as well in regard to the tenure as to the emoluments of their offices, the bill referred to was passed. The King refused his assent to it; but, mark the fact, *in less than ten years afterwards, the same King was obliged to approve another bill containing, in substance, the same provisions!*

The last occasion of the exercise of this prerogative by the King of England, was in 1694. In that year a bill was passed to secure free and impartial proceedings in Parliament, by the exclusion from the House of Commons of certain officers

of the Crown. The representatives of the people struggled against the overshadowing influence of the King, exerted in their midst by his paid servants, the reward of whose success in fashioning the action of the Commons to the complexion of the royal will, was the smile and gold of royalty, not the consciousness of a faithful discharge of duty to their country. The Royal Veto fell upon the bill. The Commons, justly incensed, determined boldly to express their disapprobation of the King's conduct. They resolved, "That whoever advised the King not to give the royal assent to the act touching free and impartial proceedings in Parliament, which was to redress a grievance, and take off a scandal upon the proceedings of the Commons in Parliament, is an enemy to his Majesty and the kingdom." They further laid a representation before the King, showing *how few instances* have been in former reigns of denying the royal assent to bills for redress of grievances, and the great grief of the Commons for his refusal of the royal assent to this bill, and beseeching the King to hearken for the future to the advice of his Parliament, rather than to the counsels of particular persons, *who might have private interests of their own, separate from those of his majesty and the people.*

This sturdy stand of the Commons availed nothing at the time, but, about six years after, this same king abandoned his position, and *approved* a bill embracing provisions similar to those contained in that upon which he had placed his veto.

From this year, 1694, to the present day, let it not be forgotten, *no British Monarch has ventured to exercise the Veto power.*

THE HISTORY OF THE EXERCISE OF THE PRESIDENTIAL VETO.

The establishment of the Government of the United States was an experiment. No one could venture to foretell how the system would work or what would be its ultimate fate. The formation of a Constitution was not all that had to be done.—That instrument had to be construed, and the extent and effect of the powers granted by it to be defined. The sphere of each department had to be marked out. Each of the three distinct magistracies had to be started in the right track. The country stood in need of great sagacity and statesmanship to keep the new and untried machinery in regular and effective motion. A single mistep might result disastrously; a single screw loose, or a single clog interposed, might derange or overturn the whole fabric.

Under such circumstances it might reasonably be expected that, for some time, the President would find somewhat frequent occasions for the exercise of the Veto power; not for the purpose of baffling Congress, but that, in any case of serious doubt, all possible deliberation might be had in the passage of proposed measures. And yet we find that from the beginning of Washington's Administration, in 1789, to the beginning of that of Jackson, in 1829,—a period of forty years,—the Veto was interposed but *eight* times;—*twice* by Washington, *five* times by Madison, and *once* by Monroe. Neither Mr. Jefferson nor the elder or younger Adams made any use of it. And he who will take the trouble to read the brief messages in which those eight vetoes were transmitted, cannot escape the conviction, that, in no single instance, did the President withhold his approval, with the slightest view of embarrassing Congress, or of infringing upon its constitutional prerogatives. In the hands of Washington, Madison, and Monroe, the power was, what the Constitution intended, conservative and salutary, and the people felt no disposition to complain against its exercise in that spirit.

With the opening of the Administration of Gen. Jackson a new era in the exercise of the Veto began,—the era of arbitrary Executive domination; of violent interference with the action of Congress; of perverse and obstinate resistance of the will of the people as expressed through their representatives; of the setting up of the will of ONE MAN against that of the majority of Congress; of the employment of the power and patronage of the Government to sustain that will; in a word, the era of REPUBLICAN MONARCHY. Twenty years have scarcely elapsed since that era began, and the Executive GAG has been applied no less than TWENTY-THREE TIMES to bills passed by Congress! And, what is worse, in more than half of these instances the "*pocket*" veto,—that

contrivance of tyranny to crush with inevitable death its object,—was shamelessly resorted to. The direct Veto was used *eleven*, and the pocket Veto *twelve* times. Gen. Jackson used the former *four* and the latter eight times. John Tyler used the former *six* and the latter *three* times. James K. Polk has resorted to each once.

Of the bills thus defeated, *ten* related to the construction of works of improvement, including coast works, light houses, surveys, roads, rivers, canals, and harbors; *three* were for the establishment of a national bank; *two* were tariff bills; and the rest embraced the following subjects:—the distribution of the proceeds of the sales of the public lands; the re-payment to the States of interest paid by them for moneys borrowed by them on account of the Federal Government and expended in the service thereof; the day of the meeting and adjournment of Congress; the funds receivable in payment of the public revenue; the regulation of contested elections; the construction of revenue cutters; and the payment of American citizens for French Spoliations, prior to the year 1800.

Now, plainly, it was impossible, in all these twenty-three cases, covering so wide a field, that Congress should have passed unconstitutional bills, or fallen into rash, immature, or factious legislation. To suppose such a thing is an insult to that body. To deny that in many of the cases, if not in every one, there was a direct and unjustifiable attack on the legislative department of the Government, and throughout the whole a deep seated determination to browbeat Congress, and subdue it completely to the ONE MAN POWER, is to manifest a blindness of judgment, and an abjectness of party fealty, which does no honor to the individual, and bodes no good to the country.

THE POSITION OF THE LOCOFOCO PARTY IN RELATION TO THE VETO.

The people of this country have a deep and abiding interest in knowing—not merely supposing or guessing, but *knowing*—who are the advocates of their rights, and who uphold the grasping pretensions of Executive usurpation. The two great parties of the country are divided and exactly opposed on this very subject; and that man is wholly unworthy of the high privileges of an American citizen, who will not search diligently and honestly, until he finds out which is the party of the People and which the party of the Executive; or who refuses examination and belief of the evidence placed before him.

Let no man, then, wilfully blind himself to the great and undoubted fact, connected with the exercise of this monarchical power during the last twenty years, that self-styled *Democratic* Presidents have done the acts, and that the *Democratic* party, falsely so called, has, from first to last, except in a single case, sustained the Presidents. This party, claiming to be, above all others, the party of the people, and assuming a name indicative of peculiar devotion to the supremacy of the people, has, with amazing contempt alike of the intelligence, the rights, and the welfare of the people, arrayed itself on the side of Executive despotism, and there stands, upholding the President in the exercise of kingly power to defeat the will of the People expressed through their constituted Representatives. The entire history of the world does not present a more glaring example of professions of regard for the people shamelessly belied by the practices of those making them.

A member of the House of Representatives, in Congress, a friend of Mr. Van Buren, met a Whig Senator, in a steamboat, in the early part of the Presidential campaign of 1840, when the former said to the latter, "Your log cabin and hard cider is no go. We shall beat you." "How so" asked the Senator. "Mr. Van Buren," answered the Member, "relies upon the words *Democracy—Democrat*—and *Democratic*. We *all* rely upon them as a party. While we wear this name, you cannot beat us, but we shall beat you."

This is a story of *fact*, told by the Senator himself, and it speaks volumes. But for these words *Democrat*, *Democracy*, and *Democratic*, the party that claims them would long since have been numbered with the forgotten things of earth. Under the protection of those names, that party has, in the short space of a score of years, done more to plant and nourish despotic power in this land; more to pull down the most cherished institutions of the country; more to corrupt public senti-

ment; and more to loosen the ties of public virtue, honor, and good faith, than ever was done in the same time, in any land under the sun, whose institutions so long survived the shock. Not one act of Executive usurpation, proscription, dictation, or corruption has been done, which has not found an ever ready defender in this so called *Democratic* party. Pre-eminently they have sustained the flagitious resort to the Executive GAG, by which the rights and will of the people have been contemned and trampled upon; and they stand now before the nation, through their delegates in the Baltimore Convention, the avowed and *only* advocates in this entire land of the use of that last remaining attribute of royalty in our republican form of government.

Among the resolutions passed by that Convention, is the following:

"*Resolved*, That we are decidedly opposed to taking from the President the qualified Veto power, by which he is enabled, under restrictions and responsibilities amply sufficient to guard the public interest, to suspend the passage of a bill whose merits cannot secure the approval of two-thirds of the Senate and House of Representatives, until the judgment of the people can be obtained thereon, and which has saved the American people from the corrupt and tyrannical domination of the Bank of the United States, and from a corrupting system of general internal improvements."

Speciously worded as this resolution is, its import cannot escape the observation of the most obtuse. Its unlimited advocacy of the Veto, though not expressed, is perfectly apparent. This advocacy is attempted to be cloaked under opposition *to taking the power entirely away from the President*, when it has never been proposed to take it from him, nor could any such proposition by any possibility be adopted; requiring, as it would, an amendment of the National Constitution, which could never be made. The resolution carefully avoids the expression of any general doctrine in reference to the *exercise* of the Veto; but expressly approves its past exercise on two subjects, in regard to which its most frequent use has been made. Now, put the three things together,—the opposition to taking the Veto power from the President; the absence of any expression in regard to its general exercise; and the approval of its past use in the cases indicated; and what does it mean but that the party is the pledged advocate, not only of the Constitutional grant of power, but of the unlimited resort to it, in *every* case where Congress passes a bill *that falls under the condemnation of this spurious Democracy.*

The truth is, and every man in the land should see and understand it in all its bearings, that the Locofocos struggle for the Veto, solely for the purpose of wielding it to uphold *the dominion of their party.* They have used it for twenty years with the sole object of defeating the policy and measures of the Whig party, which they know, if once fairly carried out, would command the approbation of the country; and they will use it for that purpose *forever*, if they can so long elect their President. The resolutions of the Baltimore Convention have, throughout, but one great principle—OPPOSITION. They are opposed to every thing the Whigs favor, and more besides. They are in favor of nothing but the Sub-Treasury, the Veto, the Mexican War, and James K. Polk. They go for pulling down, but do not offer to build up. They go for destruction, but propose nothing in the place of what they would destroy. They would strip the Government of every useful and beneficent power, and leave it to die of utter imbecility. To carry out the spirit of those resolutions, the Veto is an indispensable engine of despotism and destruction. Without it, the whole "Democratic Platform" is ricketty and rotten in every joint. No wonder, then, that the party struggle fiercely for it. Bent on a work of death to our institutions, the Executive GAG is with them the first, last, and most necessary and most powerful weapon, and once possessed of it, they hardly need any thing more. When to all this we add the whole acts of the party for twenty years, sustaining the constant and blasting resort to the Veto, and the drawing into the hands of the President every possible element and instrument of power, what further proof can any honest man ask, that that party, so far from being the true *Democratic* party of this land, is the *only* party that upholds the ONE MAN Government, which Col. Benton denounced as a MONARCHY, no matter by what name it may be called?

THOMAS JEFFERSON'S OPINIONS ON EXECUTIVE POWER.

This Locofoco party is wont, on all occasions, to trace its origin back to THOMAS

JEFFERSON, and to quote his opinions with the profoundest reverence. What were his views on this great subject?

If he was distinguished for one thing above all others, it was his steadfast opposition to the encroachments of Executive power on the rights of the people. Whatever else his opponents might say of him, it was never laid to his charge that he did aught to weaken the power of the People, or strengthen that of the Executive.

In the Declaration of Independence, of which he was the author, the very first fact with which he appealed to the world against the King of Great Britain, was, that "*he had refused his assent to laws* the most wholesome and necessary for the public good;" and he then proceeds with the long list of oppressions to which the American people had been subjected.

The spirit of resistance to tyranny which he exhibited in the preparation of that instrument, we have every reason to believe, never left him. It led to his arraying himself, soon after the formation of the Constitution, against the encroachments of Executive power, and to the formation, in 1798, of the Republican party, of which he was the head. But hear his own language on this point, contained in a letter addressed by him to John Adams, dated June 27, 1813, and published in the 4th volume of his Memoirs, p. 202:

"The terms Whig and Tory belong to national as well as civil history. They denote the temper and constitution of mind of different individuals. To come to our own country, and to the times when you and I became first acquainted; we well remember the violent parties which agitated the old Congress and their bitter contests. There you and I were arrayed together; others cherished the *monarchy* of England, and we the rights of our country.

"But as soon as the Constitution was put in motion, the line of division was again drawn. We broke into two parties, each wishing to give the government a different direction; THE ONE (the Republican party) TO STRENGTHEN THE MOST POPULAR BRANCH, (Congress,) THE OTHER THE MORE PERMANENT BRANCHES, AND TO EXTEND THEIR PERMANENCE. Here you and I separated for the first time, and one party placed your name at their head—the other selected mine."

Place the statements of this letter, together with the whole tenor of Mr. JEFFERSON'S public career, alongside of the great fact that during the eight years he was President *he did not in a single instance exercise the Veto power*, and no man can help seeing that the daring resort to despotic power by Locofoco Presidents, and their support in it by the Locofoco party, and the position of that party in favor of the Veto, receive no sanction from the life, actions, or opinions of him, whom Gen. CASS, in his letter accepting his nomination for the Presidency, styled the "GREAT EXPOUNDER OF AMERICAN DEMOCRACY."

THE POSITION OF GEN. CASS IN RELATION TO THE VETO.

One would naturally expect to find the "Democratic" candidate for the Presidency, agreeing on this important subject with the "great expounder of American Democracy;" but there could be no greater mistake. When we wish to learn what ground Gen. CASS occupies on this or any other subject, instead of going back to see how Mr. Jefferson regarded it, we need only inquire for *the utterances of the Baltimore Convention!* In his letter accepting the nomination of that body, he says:

"I HAVE CAREFULLY READ THE RESOLUTIONS OF THE DEMOCRATIC NATIONAL CONVENTION, LAYING DOWN THE PLATFORM OF OUR POLITICAL FAITH, AND I ADHERE TO THEM FIRMLY, AS I APPROVE THEM CORDIALLY."

Nothing need be added to this, to define his position on this point. The Convention declared, as we have seen, *in favor of the Veto*, and of the suppression of the will of the People by its exercise, and LEWIS CASS responds with a ready and emphatic AMEN! Let the people of the United States look to it, that this defender of regal power do not receive authority from them to use that power, as he is bound by his party allegiance to do, and certainly will do, if elected, to nullify their will and prostrate the vital interests of the country!

OLD ROUGH AND READY'S VIEWS ON THE VETO.

These we find clearly and unmistakeably expressed, in his letter to Capt. J. S. Allison, dated April 22, 1848. The old hero, though no politician, seems to have discovered at a glance that the great danger threatening our institutions at this time, is the corrupting influence of Executive power; and he speaks out these

words of wisdom and patriotism, which deserve, if ever words did, to be written in letters of gold in every habitation and every capitol of this our land.

"THE POWER GIVEN BY THE CONSTITUTION TO THE EXECUTIVE TO INTERPOSE HIS VETO IS A HIGH CONSERVATIVE POWER, BUT IN MY OPINION SHOULD NEVER BE EXERCISED, EXCEPT IN CASES OF CLEAR VIOLATION OF THE CONSTITUTION, OR MANIFEST HASTE AND WANT OF CONSIDERATION BY CONGRESS. INDEED, I HAVE THOUGHT, THAT FOR MANY YEARS PAST, THE KNOWN OPINIONS AND WISHES OF THE EXECUTIVE HAVE EXERCISED UNDUE AND INJURIOUS INFLUENCE UPON THE LEGISLATIVE DEPARTMENT OF THE GOVERNMENT, AND FROM THIS CAUSE I HAVE THOUGHT OUR SYSTEM WAS IN DANGER OF UNDERGOING A GREAT CHANGE FROM ITS TRUE THEORY. THE PERSONAL OPINIONS OF THE INDIVIDUAL WHO MAY HAPPEN TO OCCUPY THE EXECUTIVE CHAIR, OUGHT NOT TO CONTROL THE ACTION OF CONGRESS UPON QUESTIONS OF DOMESTIC POLICY, NOR OUGHT HIS OBJECTIONS TO BE INTERPOSED, WHEN QUESTIONS OF CONSTITUTIONAL POWER HAVE BEEN SETTLED BY THE VARIOUS DEPARTMENTS OF THE GOVERNMENT, AND ACQUIESCED IN BY THE PEOPLE.

"UPON THE SUBJECT OF THE TARIFF, THE CURRENCY, THE IMPROVEMENT OF OUR GREAT HIGHWAYS, RIVERS, LAKES, AND HARBORS, THE WILL OF THE PEOPLE, AS EXPRESSED THROUGH THEIR REPRESENTATIVES IN CONGRESS, OUGHT TO BE RESPECTED AND CARRIED OUT BY THE EXECUTIVE."

The first remark to be made in relation to this admirable expression of opinion is, that the whole life and character, public and private, of Gen. TAYLOR, forbid a doubt of his perfect sincerity in making it, or of his acting out these views in the Presidency, should he be elected.

Further than that, the plain import of the language justifies the following conclusions:—

That he repudiates the Locofoco doctrine of the President being a part of the Legislative Department of the Government:

That he condemns the Locofoco resort to the Veto for party purposes:

That, in cases where mere questions of policy are involved, he holds that the President has no right to interfere with the action of Congress, by the exercise of the Veto, except where there is "*manifest*" haste and want of consideration by Congress:"

That he renounces the Locofoco doctrine of applying the Veto on *constructive* constitutional grounds, and would confine its exercise, for constitutional reasons, to "cases of *clear* violation of the Constitution:"

That, seeing from the history of the Locofoco party and the acts of Locofoco Presidents, the danger to the liberties of the country from Executive influence upon Congress, he would, as President, wholly abstain from any attempt to sway the action of that body by his personal or official influence:—And finally,

That, under his Administration, *the right of Congress to make laws for the country, and the right of the majority to govern, would be fully recognised and steadfastly maintained.*

THE GREAT AND VITAL ISSUE.

When the people of the United States cast off the yoke of British dominion, and formed a government for themselves, they assumed before the world the solemn responsibility, upon themselves and their posterity, of asserting THE RIGHT OF MAN TO SELF-GOVERNMENT. Seventy-two years have passed since they stood up to fight for that great and inestimable right. The spirit of American freedom has crossed the great ocean, and over all Europe oppressed nations are, in this year 1848, struggling with mighty and resistless energy for the rights which we successfully asserted in 1776. For months past every breeze from the eastward has borne to our shores joyful tidings of the triumph of freedom, and the glorious establishment of the rights of man on the ruins of monarchy and despotism. And yet, strange and wonderful to see, here, on the very soil and in the very home of freedom, and among the people who achieved the first great triumph of Republican

government, THE RIGHT OF THE PEOPLE TO GOVERN IS AGAIN AT STAKE! This, we solemnly affirm, in the presence of the American people, is THE GREAT AND VITAL ISSUE of this Presidential contest; in comparison with which questions of *policy* sink into immeasurable insignificance.

Other issues which were before the people in 1844, are now, by the force of the circumstances in which the country has been placed by the acts of James K. Polk and the Locofoco party, disposed of for the present. The National Debt, of largely over ONE HUNDRED MILLION DOLLARS, entailed on us by the Mexican war, creates a necessity for an increase of the Tariff, whether politicians wish it or not. The issue of SEVENTY-FIVE THOUSAND LAND WARRANTS to the soldiers in the Mexican war, covering TWELVE MILLION ACRES OF LAND, will absorb the Public Domain for at least four years to come; and, of course settles, for that length of time, the question of the Distribution of the Proceeds of the Sales of the Public Lands. The creation of a National Bank is no longer agitated, and will not probably again be brought forward by the Whig party. We are, therefore, fully justified in declaring that the great question before the nation now is, whether THE PEOPLE or ONE MAN shall govern? In this the careful observer will see that all other questions are merged. The policy of the Whig party demands that the Executive Veto should be silenced, except in clear and extreme cases; that of the Locofoco party requires that it should be wielded in every case, *where Congress passes a bill opposed to the doctrines of the Baltimore Convention.* The Veto Power, then, for the time, embraces every thing else, and becomes, in the broadest sense, THE GREAT AND VITAL ISSUE OF THIS CAMPAIGN.

On one side of this issue is Lewis Cass, the open and undisguised advocate, for mere *party* purposes, of Executive power, Executive influence, Executive domination, and the Executive Gag upon the people's voice. Backed by the Locofoco party, and ready and anxious, if elected, to obey every behest of that party, from him nothing can be hoped but the fiercest and most despotic exertion of party hatred, party vengeance, and party dominion. Claiming his election as a popular sanction of all the past atrocities of that party, and of all the deadly doctrines of the Convention that nominated him, he will devote himself, and all his official power and influence, to the renewal of those atrocities and the permanent establishment of those doctrines and the fearful power of his party, in this country, through all succeeding time.

On the other side of that issue stands Zachary Taylor, the great champion of the People's rights, the People's will, the People's influence, and the People's supremacy over the Executive Gag, and over every other phase and form of Executive aggression and domination. Sustained on this ground by the great Whig party, but bound by no slavish party allegiance; accustomed through nearly his whole life to power and command, and yet freely renouncing, in advance, the undue use of power if elected President; equally accustomed, during a long life, to defend and uphold the honor and glory of the country at the head of its gallant soldiery, he stands before the nation, bearing aloft the standard of the glorious array of Whig freemen, and proclaiming, in the language of deep and fervent patriotism, "I HAVE NO PRIVATE PURPOSES TO ACCOMPLISH—NO PARTY PROJECTS TO BUILD UP—NO ENEMIES TO PUNISH—NOTHING TO SERVE BUT MY COUNTRY!"

From such a man the country has nothing to fear, but every thing of good to hope. By his elevation to the Presidency, the reign of denunciation, proscription, corruption, and tyranny will be brought to a perpetual end; the Government of THE PEOPLE will once more be re-established and the nation will rejoice in restored prosperity, integrity and honor.

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